

Application Number: 10/697,213
Response to Final Office Action of October 19, 2005

AMENDMENTS TO THE CLAIMS

1. (canceled)
2. (withdrawn) The toothbrush according to claim 1, wherein that the vibratory device comprises a vibratory element driven by a drive which can be electrically connected to the power source and is arranged directly adjacent to the vibratory element in the head part or in the region adjacent to the head part.
3. (withdrawn) The toothbrush according to claim 2, wherein the vibratory device comprises a vibratory element designed in the manner of a vibratory armature, can be electrically connected directly to the power source and, with the power source connected, is made to vibrate.
4. (withdrawn) The toothbrush according to claim 2, wherein that the vibratory element is designed as an eccentric which is mounted in a housing such that it can be rotated about an axis located in the longitudinal direction of the toothbrush.
5. (withdrawn) The toothbrush according to claim 1, further comprising a vibration-damping element to reduce vibration transmission to the handle.
6. (withdrawn) The toothbrush according to claim 5, wherein the neck part has vibration-damping neck-part zones made of an elastically compliant material and located in region between the vibratory element and the handle.
7. (withdrawn) The toothbrush according to claim 2, wherein the power source is an exchangeable battery which can be inserted into the handle and can be electrically connected directly to the drive or to the vibratory element.
8. (canceled)

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9. (withdrawn) The toothbrush according to claim 1, wherein the head has a retaining element on which a bristle carrier is provided with bristles positioned in an exchangeable manner.
10. (withdrawn) The toothbrush according to claim 1, wherein the head part is arranged such that it can be moved in relation to the neck part, and can be made to move relative to the neck part by the vibrations produced by the vibratory device.
11. (withdrawn) The toothbrush according to claim 1, wherein the vibratory device and electronic components form a unit which is capable of being positioned in an injection molding made of a first material component and being at least partially encapsulated in at least one further material component by injection molding.
12. (withdrawn) The toothbrush according to claim 1, wherein the vibratory device and electronic components form a unit which is capable of being accommodated between two separately produced toothbrush parts which are connected to one another in a water-tight manner.
13. (withdrawn) The toothbrush according to claim 1, wherein the head comprises a body portion and a plurality of separate cleaning areas, at least one of said cleaning areas comprising a base with at least one outwardly extending cleaning element, at least one of said cleaning areas being a pod having at least one outwardly extending cleaning element, said pod having a greater degree of movability than said base, and said pod being resilient whereby said at least one cleaning element of said pod is movable from an initial position and being returnable to said initial position.
14. (canceled)
15. (withdrawn) The toothbrush according to claim 1, wherein the head comprises a base having an upstanding wall to create an area for attachment of a resilient membrane mounted to

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the frame, at least one cleaning element on the membrane extending away from the head, and the membrane being capable of flexing to alter its original orientation during use of said toothbrush and then recovering to assume its original orientation randomly during use of said toothbrush.

16. (withdrawn) A toothbrush, comprising:

- a handle;
- a head connected to said handle by a neck element; and
- a mechanical vibratory device which causes the head to vibrate,

wherein said head comprises a body portion and a plurality of separate cleaning areas, at least one of said cleaning areas comprising a base with at least one outwardly extending cleaning element, at least one of said cleaning areas being a pod having at least one outwardly extending cleaning element, said pod having a greater degree of movability than said base, and said pod being resilient whereby said at least one cleaning element of said pod is movable from an initial position and being returnable to said initial position.

17. (withdrawn) The toothbrush according to claim 16, wherein said at least one cleaning element of said pod is capable of 360 degrees rotation about the vertical axis of said pod.

18. (withdrawn) The toothbrush according to claim 16, wherein said pod includes an intermediate longitudinal portion of reduced diameter.

19. (withdrawn) The toothbrush according to claim 16, wherein said pod is formed by a thin diameter beam enclosed in elastic material.

20. (withdrawn) The toothbrush according to claim 16, wherein said beam extends from said body portion of said head to a thin pad to which said at least one cleaning element is mounted.

21. (withdrawn) The toothbrush according to claim 20, wherein said at least one cleaning element mounted to said pad comprises a plurality of bristles.

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22. (withdrawn) The toothbrush according to claim 16, wherein said cleaning areas include a plurality of said pods.
23. (withdrawn) The toothbrush according to claim 22, wherein there are a plurality of said areas each having a base.
24. (withdrawn) The toothbrush according to claim 23, wherein one of said areas having a base is located at the distal end of said head and another of said areas having a base located at the proximal end of said head, and said pods being between said distal base and said proximal base.
25. (withdrawn) The toothbrush according to claim 24, wherein said bases and said pods are longitudinally aligned.
26. (withdrawn) The toothbrush according to claim 25, wherein said cleaning areas are separated from each other by transverse channels extending across said head.
27. (withdrawn) The toothbrush according to claim 26, wherein each of said bases and each of said pods has a generally oval outer surface.
28. (withdrawn) The toothbrush according to claim 27, wherein said pods have a larger outer surface than said outer surface of said bases.
29. (withdrawn) The toothbrush according to claim 21, wherein said cleaning elements of said bases and said cleaning elements of said pods are a plurality of bristles on each of said bases and on each of said pods.
30. (withdrawn) The toothbrush according to claim 16, wherein each of said bases is non-movable.

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31. (withdrawn) The toothbrush according to claim 16, wherein said cleaning areas are separated from each other by a transverse channel extending across said head.
32. (withdrawn) The toothbrush according to claim 16, wherein said cleaning areas include two adjacent pods, and said pods including a continuous layer of elastic material covering both of said pods.
33. (withdrawn) The toothbrush of claim 16, wherein there is a base at each longitudinal end of said head, and two of said pods being longitudinally between and aligned with said bases.
34. (withdrawn) The toothbrush according to claim 21, wherein said cleaning elements on said bases have terminal ends which taper outwardly toward the longitudinal center of said head, said cleaning elements of said pods having terminal ends which taper outwardly away from said longitudinal center of said head, and each adjacent pair of base and pod having their cleaning elements with the longest portions adjacent to each other.
35. (withdrawn) The toothbrush according to claim 21, wherein said cleaning elements on said bases have terminal ends and said cleaning elements on said pods have terminal ends, and said terminal ends of all of said cleaning elements jointly having a concave shape.
36. (withdrawn) The toothbrush according to claim 16, wherein said cleaning areas include a plurality of said pods, each of said pods having a narrow stem made of an elastic material and a thin pad extending across and outwardly of said stem with said cleaning elements extending outwardly from said thin pad to create a mushroom shape, and said pods being interconnected by a support interconnecting said stems.
37. (withdrawn) The toothbrush according to claim 36, wherein said interconnected pods form a unitary subassembly secured to the remaining portion of said head.

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38. (withdrawn) The toothbrush according to claim 16, wherein said cleaning elements are bristles joined to said thin pad by an IMT process, said remainder of said head being formed integrally with said handle, and said subassembly being molded to said remainder of said head.

39.-44. (canceled)

45. (previously presented) A toothbrush, comprising:

a handle;

a head connected to said handle and having a first surface and a second surface; and
a mechanical vibratory device which causes the head to vibrate,

wherein said head comprises a first cleaning element extending from said first surface that is non-movable relative to the head, a second cleaning element extending from said first surface that is non-movable relative to the head, a plurality of third cleaning elements disposed between the first and second cleaning elements and being movable relative to the head, and a discontinuity in the head opposite at least one of said plurality of third cleaning elements to allow for movement of the at least one of said plurality of third cleaning elements relative to the head.

46. (canceled)

47. (previously presented) The toothbrush according to claim 45, wherein at least one additional cleaning element is included in an area between the first or second and third cleaning elements.

48. (previously presented) The toothbrush according to claim 45, wherein the third cleaning elements comprise movable wipers.

49. (previously presented) The toothbrush according to claim 48, wherein the movable wipers are mounted on a resilient membrane and rotate towards one another upon application of sufficient force on the toothbrush and away from each other upon release of that force.

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50. (withdrawn) A toothbrush, comprising:

- a handle;
 - a head connected to said handle by a neck element; and
 - a mechanical vibratory device which causes the head to vibrate,
- wherein said head is flexibly mounted to the handle, the head having an upper face with fingers flexibly mounted, thereon, and ribs connecting the fingers to the upper face whereby flexure of the head or its upper face causes lateral movement of the fingers relative to the longitudinal axis of the toothbrush.

51. (withdrawn) The toothbrush according to claim 50, wherein at least a portion of fingers comprise a soft elastomeric material.

52. (withdrawn) The toothbrush according to claim 51, wherein the composition of the rib material is stiffer than the elastomeric material of the fingers.

53. (withdrawn) The toothbrush according to claim 50, wherein the fingers are mounted in openings in the flexible face of the head.

54. (canceled)

55. (withdrawn) The toothbrush according to claim 50, wherein multiple fingers are interconnected by ribs on one side of the fingers whereby all fingers connected by the ribs move in one direction when the head is flexed.

56. (withdrawn) The toothbrush according to claim 50, wherein multiple fingers are interconnected by ribs on opposite sides of the fingers whereby the fingers move in opposite directions when the head is flexed.

57. (withdrawn) The toothbrush according to claim 50, wherein the head contains fingers along at least one edge of the head and cleaning elements are at least another portion of the head.

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58. (canceled)

59. (withdrawn) A toothbrush, comprising:

- a handle;
- a head connected to said handle by a neck element, said head comprising an outer perimeter portion formed of a rigid material, said rigid material being adapted to allow said head to be sonically welded;
- a tuft field positioned within said outer perimeter portion and being formed of a flexible elastomer, said tuft field defining one or more apertures to receive one or more bristle tufts, said head being sonically welded into place in said toothbrush; and
- a mechanical vibratory device which causes the head to vibrate.

60. (withdrawn) The toothbrush according to claim 59, wherein said rigid material comprises polypropylene.

61. (withdrawn) The toothbrush according to claim 59, wherein said flexible elastomer has a hardness of 90 shore A or less.

62.-63. (canceled)

64. (withdrawn) The toothbrush according to claim 59, wherein said tuft field flexes upon the application of pressure thereto.

65. (withdrawn) The toothbrush according to claim 59, wherein said one or more bristle tufts are secured within each corresponding aperture in said tuft field by melting a portion of the bristles forming each of said bristle tufts.

66. (withdrawn) The toothbrush according to claim 59, wherein said bristle tufts are melted adjacent a back surface of said tuft field that is to be positioned facing said toothbrush.

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67.-75. (canceled)

76. (withdrawn) A toothbrush according to claim 16, wherein said mechanical vibratory device is located in the head or in a region adjacent to the head and operatively connected to an electric power source.

77. (previously presented) A toothbrush according to claim 45, wherein said mechanical vibratory device is located in the head or in a region adjacent to the head and operatively connected to an electric power source.

78. (withdrawn) A toothbrush according to claim 59, wherein said mechanical vibratory device is located in the head or in a region adjacent to the head and operatively connected to an electric power source.

79. (previously presented) The toothbrush according to claim 45, wherein the discontinuity is on the second surface opposite the at least one of said plurality of third cleaning elements.

80 (previously presented) The toothbrush according to claim 45, wherein at least one of said plurality of third cleaning elements is movable toward at least one of said first and second cleaning elements.

81. (currently amended) The toothbrush according to ~~claim 46~~claim 45, wherein the at least one of said plurality of third cleaning elements is movable toward each of said first and second cleaning elements.

82. (previously presented) The toothbrush according to claim 45, further comprising a fourth cleaning element disposed between said first cleaning element and at least one of said plurality of third cleaning elements, said fourth cleaning element being mounted to and non-movable relative to said head at a location of said mount.

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83 (previously presented) The toothbrush according to claim 82, wherein the at least one of said plurality of third cleaning elements is movable toward at least one of said first and fourth cleaning elements.

84. (previously presented) The toothbrush according to claim 83, wherein the at least one of said plurality of third cleaning elements is movable toward each of said first and fourth cleaning elements.

85. (currently amended) A toothbrush, comprising:
a head and a mechanical vibratory device which causes the head to vibrate;
wherein said head comprises a first surface, a first cleaning element extending from said first surface that is non-movable relative to the head, a second cleaning element extending from said first surface that is non-movable relative to the head, and a plurality of movable elastomeric wipers disposed between the first and second cleaning elements, each of the movable elastomeric wipers being movable relative to the cleaning head within a discontinuity in the head opposite each movable elastomeric wiper.

86. (previously presented) The toothbrush according to claim 85, wherein the first and second cleaning elements extend from a first surface of the head, and the discontinuity is present on the second surface of the head opposite the first surface.

87. (previously presented) The toothbrush according to claim 85, wherein the first and second cleaning elements extend from a first surface of the head, and the discontinuity is visible with reference to the second surface of the head opposite the first surface.